

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI**

MICHAEL DAILEY and ROBBIN DAILEY,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	Case No. 4:22-cv-00116-CDP
BRIDGETON LANDFILL, LLC, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

**BRIDGETON DEFENDANTS’ UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO FILE JOINT STATUS REPORT**

COMES NOW, Defendants Republic Services, Inc., Allied Services, LLC and Defendant/Third Party Plaintiff Bridgeton Landfill, LLC (for itself and as successor of Rock Road Industries, Inc.<sup>1</sup>) (collectively “Bridgeton Defendants”), by and through their attorneys of record, and submits this Unopposed Motion for Extension of Time to File Joint Status Report as ordered by this Court on February 22, 2022. *See* ECF No. 29.

**I. INTRODUCTION**

On February 22, 2022, this Court ordered that “not later than March 25, 2022, counsel for all parties shall meet, prepare, and file a joint written report setting forth:

- 1) An agreed-upon statement of the facts and procedural history of this case, including significant actions taken in the Circuit Court of St. Louis County after the case was remanded in March 2020;
- 2) Whether the parties have taken all necessary actions to cause the relevant portions of the record to be furnished to this Court;
- 3) The identity of the parties named and who presently remain pending in this action, as well as whether any named defendant (including any third-party defendant or crossclaim defendant) remains to be served with process and/or is in default;

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<sup>1</sup> Rock Road Industries, Inc. merged into Bridgeton Landfill, LLC, effective April 9, 2018.

- 4) The issues remaining for determination, including whether any motions are currently pending that require resolution;
- 5) The potential for settlement and the status, though not the content, of any offers of settlement;
- 6) Whether referral to Court-sponsored alternative dispute resolution could advance the ultimate resolution of this case;
- 7) Whether the parties request a Rule 16 scheduling conference;
- 8) The nature and extent of any remaining discovery needed before this case is ready to proceed to trial; and
- 9) When it is reasonably likely the case would be ready to proceed to trial.”

ECF No. 29. Since the Court’s order, Plaintiffs have filed a Motion to Remand. *See* ECF No. 32.

## **II. ARGUMENT**

Given the pending Motion to Remand, Bridgeton Defendants move for an extension of time to file the joint status report until after Plaintiffs’ Motion to Remand has been ruled upon. Counsel for Bridgeton Defendants has conferred with all parties and no party opposes this Motion.<sup>2</sup> No party is taking any position as to whether remand is proper. Those parties that consent to this Motion believe that in the interest of judicial efficiency a ruling on Plaintiffs’ Motion to Remand should be made prior to the parties filing a Joint Status Report.

## **III. CONCLUSION**

Therefore, Bridgeton Defendants move this Court for an order granting this Unopposed Motion and providing for an extension of time to file the joint status report until after Plaintiffs’ Motion to Remand has been ruled upon.

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<sup>2</sup> Plaintiffs’ counsel and Defendant Cotter Corporation’s counsel consent to this Motion. Counsel for Third-Party Defendants United States Fidelity and Guaranty Company and St. Paul Fire and Marine Insurance Company indicated they will not object to the Motion.

Dated: March 22, 2022

By: /s/ Allyson E. Cunningham

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